

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74522 of 2024

Arising Out of PS. Case No.-147 Year-2023 Thana- SIMRI District- Darbhanga

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Kundan Kumar @ Kundan Das @ Bajrangi @ Kulanand Son of Late Kamal
Mohan Lal Das Resident of Village- Kamrouli, P.S.- Simri, Distt.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 3 26-11-2024
1. Heard learned counsel for the parties.
 2. The petitioner has renewed his prayer for bail in connection with S.T. no.675 of 2023 (arising out of Simri P.S. Case no.147 of 2023) registered under sections 302 and 34 of the Indian Penal Code.
 3. As per the prosecution case, the informant states that his daughter-in-law along with his grand children had left his son and was living in an extramarital relationship with the petitioner at his farm. On the informant's son visiting them for the reason of his children, it is stated that the petitioner and his daughter-in-law tied him up, which was seen by other persons who visited them. As a result of assault by the petitioner and



others, the son of the informant sustained injuries and on being taken to the hospital was declared dead.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case because of the relationship of the petitioner with the daughter-in-law of the informant. No occurrence in the manner as alleged in the FIR has taken place. In spite of the petitioner being in custody since 22.7.2023 and cooperating in the trial, the trial has still not concluded. The petitioner undertakes to cooperate in the trial.

5. The application for bail is opposed by learned A.P.P. for the State.

6. A report was called for from the learned trial Court. As per the report received contained in letter dated 30.10.2024 of the Incharge Additional District and Sessions Judge II, Darbhanga, four witnesses out of the seven chargesheet witnesses have been examined on behalf of the prosecution.

7. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the FIR together with the progress in the trial wherein four witnesses are said to have been examined, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.



8. Liberty is granted to the petitioner to renew his prayer for bail after six months if there is no substantial progress in the trial.

(Partha Sarthy, J)

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